

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
SITAMARHI.
Sitamarhi.
B.P No. 328/26**

Present:- Akhilesh Kumar Jha, Principal District & Sessions Judge,

In the matter of :-

**Gaurav Mahto, S/o- Ramesh Mahto, R /o- Kot Bazaar Ward No. 17, P.S-
Sitamarhi,
Distt.Sitamarhi.....Petitioner.**

V/S

State of Bihar.....Opposite Party.

Appearance:

For the petitioner:- Sri Satish Kumar, Advocate.

For the State:- Sri Prafulla Kumar Jha, I/C P.P.

Date of order or proceeding.	Order with the signature of the court.	Office action taken with date.
19.05.2026.	This bail petition has been filed on behalf of the petitioner namely, Gaurav Mahto, who is in custody since 13.02.2026 in connection with Sitamarhi PS Case No. 63/2026 registered u/s: 33, 305(a) of BNS. 2. Heard the learned counsel for the petitioners and the learned I/C PP for the State. 3. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and he has been falsely implicated in this case. Further submitted that there is no recovery from the possession of the accused petitioner. Petitioner is having four criminal antecedents. Accordingly, the learned counsel prayed for grant of regular bail to the petitioner. 4. On the other hand, the learned I/C PP submitted that petitioner is named in the FIR and two mobiles were recovered from his possession as per para 23 of the case diary. 5. The prosecution's case, in brief, as per written application of informant namely, Rohit Sundarka is that on 22.01.2026 at about 01:30A.M., an unknown person ran away after taking two mobile phones from the house of informant. Due to darkness, informant could not see his face. Accordingly, FIR was registered in this case.	

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6. Perusal of record of case shows that petitioner is not named in the FIR. Informant and witness, did not see the face of thief who stole the mobiles. As per para 23 of case diary, stolen mobiles have already been recovered. The charge-sheet in the case has already been filed and petitioner is in custody since 13.02.2026.

7. Considering the aforesaid facts & circumstances of the case, the bail petition of the petitioner is allowed. The petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court where the case is presently pending further subject to the conditions as laid down u/s: 480(3) BNSS and also subject to conditions that petitioner shall provide his active mobile no. and remain present in person on each and every date of hearing of the case till conclusion of trial and whenever, his personal attendance is not necessary, shall be represented by his learned advocate.

(Dictated)


(Akhilesh Kumar Jha)
Principal Sessions Judge,
Sitamarhi.
19.05.2026

Date of Judgment /Order	19.05.2026.
Date of Reserving Judgment/Order	19.05.2026
Uploading Date	21/5/2026
Uploaded by	Prashant Kumar